

ORIGINAL

COMMISSIONERS
DOUG LITTLE - Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

OPEN MEETING ITEM



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Executive Director

ARIZONA CORPORATION COMMISSION

2016 APR 18 P 3:44

DATE: APRIL 18, 2016

DOCKET NOS.: C-00000A-15-0118

AZ CORP COMMISSION
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TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Brian Schneider. The recommendation has been filed in the form of an Order on:

ARIZONA CORPORATION COMMISSION-GENERIC INVESTIGATION
(ORDER TO SHOW CAUSE)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

APRIL 27, 2016

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 3, 2016 AND MAY 4, 2016

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

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APR 18 2016



JODI A. JERICH
EXECUTIVE DIRECTOR

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 DOUG LITTLE – Chairman
4 BOB STUMP
5 BOB BURNS
6 TOM FORESE
7 ANDY TOBIN

8 IN THE MATTER OF THE COMMISSION ON ITS
9 OWN MOTION INVESTIGATING THE FAILURE
10 OF NUMEROUS UTILITIES TO FILE ANNUAL
11 REPORTS FOR CALENDAR YEAR 2013.

DOCKET NO. C-00000A-15-0118

DECISION NO. _____

12 **OPINION AND ORDER**

13 DATE OF HEARING: January 20, 2016

14 PLACE OF HEARING: Phoenix, Arizona

15 ADMINISTRATIVE LAW JUDGE: Yvette B. Kinsey¹

16 APPEARANCES: Mr. Brian Smith, Staff Attorney, Legal Division, on
17 behalf of the Utilities Division of the Arizona
18 Corporation Commission

19 **BY THE COMMISSION:**

20 This case concerns an Order to Show Cause issued by the Arizona Corporation Commission
21 (“Commission”) against numerous utilities for failing to file their 2013 Utilities Division Annual
22 Reports (“2013 Annual Reports”).

23 * * * * *

24 Having considered the entire record herein and being fully advised in the premises, the
25 Commission finds, concludes, and orders that:

26 **FINDINGS OF FACT**

27 1. On April 9, 2015, the Commission’s Utilities Division (“Staff”) filed a Memorandum
28 requesting that a docket be opened concerning the failure of certain utilities to file their 2013 Annual
Reports. As a result, the above-captioned docket was opened.

2. On April 28, 2015, Staff filed a Complaint and Petition for an Order to Show Cause

¹ Administrative Law Judge (“ALJ”) Sarah N. Harpring presided over the January 20, 2016, hearing on behalf of ALJ Kinsey. The Recommended Opinion and Order was prepared by ALJ Brian D. Schneider.

1 (“Complaint”), along with a Proposed Order, for consideration at the Commission Open Meeting on
2 October 20 and 21, 2015.

3 3. On August 14, 2015, Staff filed an Amended Complaint and Petition for an Order to
4 Show Cause (“Amended Complaint”) explaining that, following the filing of its original Complaint,
5 various utilities worked with Staff to resolve the issues raised in this matter. As such, Staff amended
6 its April 28, 2015, Complaint to include only those utilities that remain in violation for their failure to
7 file their 2013 Annual Reports.

8 4. On October 16, 2015, Staff filed an Amendment to its Proposed Order to delete various
9 companies from its Proposed Order.

10 5. On October 27, 2015, the Commission issued Decision No. 75315, alleging that the
11 following public service corporations (“Respondents”) had failed to file their 2013 Annual Reports and
12 ordering the Respondents to appear before the Commission, at a time and place designated by the
13 Commission’s Hearing Division, to show cause why the Commission should not find Respondents to
14 have violated and to be in contempt of Arizona law and Commission rules and to show cause why the
15 Commission should not assess penalties against Respondents under Arizona Revised Statutes
16 (“A.R.S.”) §§ 40-424 and 40-425 and/or cancel Respondents’ Certificates of Convenience and
17 Necessity (“CC&Ns”):

<u>Docket No.</u>	<u>Company Name</u>
T-02890A	American Cyber Corporation dba Discount Plus
T-03227A	American Technologies, Inc. dba Network Utilization Services
WS-03953A	Bachmann Springs Utility Company
T-20544A	Baldwin County Internet/DSSI Service, L.L.C.
W-02015A	Beaver Valley Water Company, Inc.
W-02526A	Bellemont Water Co.
T-03014A	Candace Adair dba Adair Communications
T-04233A	Charles Bellows dba J B Payphones
W-01558A	Crown King Water Company, Inc.
T-20646A	CVC CLEC, LLC
T-20615A	EMC Telecom Corporation
T-20774A	Go Solo Technologies, Inc.
T-02814A	Inmate Communications Corporation
T-04222A	LDC Enterprises, Inc. dba Full Serv Gas
T-03132A	LDC Telecommunications, Inc.
T-03669A	Legacy Long Distance International, Inc.

W-02164A	Morristown Water Company
T-03651A	OLS, Inc.
T-04021A	Pacific Communications, LLC
T-03435A	Salty Dawg, Inc. dba 5 & Diner
T-03984A	SNIP Link, LLC
W-01407A	Strawberry Water Company
T-04213A	T.N.C., Inc.
T-03949A	TCAST Communications, Inc.
T-04234A	Teledata Solutions, Inc.
T-03363A	Teletrust, Inc.
W-02419A	Tubac Water Company, Inc.
T-04261A	United American Technology, Inc.
T-03599A	Uni-Tel Communications Group, Inc.
W-01084A	William P. Farr dba Salome Water Company
W-02173A	Willow Lakes Property Owners Association, Inc.
T-04156A	Yak America, Inc.

6. In Decision No. 75315, the Commission also found that the Respondents' alleged violations would constitute grounds to assess civil penalties against Respondents under A.R.S. §§ 40-424 and 40-425, in an amount not less than \$100 nor more than \$5,000 for each violation, and/or to revoke Respondents' CC&Ns.

7. On November 5, 2015, Staff filed a Motion for Procedural Order requesting that the hearing be scheduled sometime after January 3, 2016.

8. On November 5, 2015, a Procedural Order was issued scheduling a procedural conference in this matter for January 12, 2016, and the hearing in this matter for January 20, 2016, both to be held at the Commission's offices in Phoenix, Arizona. The Procedural Order further required Staff to file, by January 8, 2016, a memorandum indicating whether any of the Respondents had filed their 2013 Annual Reports since the issuance of Decision No. 75315.

9. Copies of the Procedural Order were sent to the Respondents both by First Class U.S. mail and by certified mail. The copies of the Procedural Order sent by First Class U.S. mail to the following Respondents were returned as undeliverable: Bachmann Springs Utility Company; Baldwin County Internet/DSSI Service, L.L.C.; Candace Adair dba Adair Communications; Charles Bellows dba J B Payphones; CVC CLEC, LLC; EMC Telecom Corporation; Inmate Communications Corporation; OLS, Inc.; Salty Dawg, Inc. dba 5 & Diner; SNIP Link, LLC; T.N.C., Inc.; TCAST

1 Communications, Inc.; Tubac Water Company, Inc.; and Yak America, Inc.² The Commission's
 2 Docket Control also received as undeliverable the certified mail sent to: Bachmann Springs Utility
 3 Company; Baldwin County Internet/DSSI Service, L.L.C.; Bellemont Water Co.; Candace Adair dba
 4 Adair Communications; Charles Bellows dba J B Payphones; Crown King Water Company, Inc.; CVC
 5 CLEC, LLC; EMC Telecom Corporation; Go Solo Technologies, Inc.; Inmate Communications
 6 Corporation; LDC Telecommunications, Inc.; OLS, Inc.; Salty Dawg, Inc. dba 5 & Diner; SNIP Link,
 7 LLC; T.N.C., Inc.; TCAST Communications, Inc.; Teledata Solutions, Inc.; Teletrust, Inc.; Tubac
 8 Water Company, Inc.; United American Technology, Inc.; and Yak America, Inc.³

9 10. Arizona Administrative Code ("A.A.C.") R14-3-107(B), the Commission's rule for
 10 service of documents, provides, in pertinent part:

11 [A]ll notices, orders to show cause, opinions and orders required to be
 12 served by the Commission . . . may be served by mail, and service thereof
 13 shall be deemed complete when a true copy of such paper or document,
 14 properly addressed and stamped, is deposited in the United States mail with
 first class postage prepaid.

15 11. On January 8, 2016, Staff filed a memorandum stating that Legacy Long Distance
 16 International, Inc. had filed its 2013 Annual Report since the issuance of Decision No. 75315 and
 17 recommending that Legacy Long Distance International, Inc. be dismissed from this matter.

18 12. On January 12, 2016, a procedural conference was held in this matter. Staff appeared
 19 through counsel, and none of the Respondents appeared. Staff reported that no additional Annual
 20 Report or cancellation request filings had been made by Respondents since the memorandum of
 21 January 8, 2016.

22 13. On January 20, 2016, a full public hearing was held before a duly authorized ALJ of the
 23 Commission at the Commission's offices in Phoenix, Arizona. Staff appeared through counsel, and
 24 none of the Respondents appeared. Staff presented the testimony of Guadalupe Ortiz, Administrative
 25

26 ² The items were returned to sender as unable to forward with the additional notations "no such number," "attempted –
 27 not known," and "not deliverable as addressed." Official notice is taken of these facts, which involve documents within
 the Commission's Hearing Division file for this matter.

28 ³ The items were returned to sender as unable to forward with additional notations such as "no such number," "attempted
 not known," "unclaimed," and "not deliverable as addressed." Official notice is taken of these facts, which involve
 documents filed in this docket and available through the Commission's e-Docket function.

Services Officer.

14. During the hearing, Ms. Ortiz testified that on January 14, 2016, Strawberry Water Company filed its 2013 Annual Report and, therefore, Staff recommends that Strawberry Water Company be dismissed from this matter. (Tr. at 10.)

15. Staff reported that the following Respondents ("Remaining Respondents") have neither filed their 2013 Annual Reports nor filed requests to cancel their CC&Ns:

<u>Docket No.</u>	<u>Company Name</u>
T-02890A	American Cyber Corporation dba Discount Plus
T-03227A	American Technologies, Inc. dba Network Utilization Services
WS-03953A	Bachmann Springs Utility Company
T-20544A	Baldwin County Internet/DSSI Service, L.L.C.
W-02015A	Beaver Valley Water Company, Inc.
W-02526A	Bellemont Water Co.
T-03014A	Candace Adair dba Adair Communications
T-04233A	Charles Bellows dba J B Payphones
W-01558A	Crown King Water Company, Inc.
T-20646A	CVC CLEC, LLC
T-20615A	EMC Telecom Corporation
T-20774A	Go Solo Technologies, Inc.
T-02814A	Inmate Communications Corporation
T-04222A	LDC Enterprises, Inc. dba Full Serv Gas
T-03132A	LDC Telecommunications, Inc.
W-02164A	Morristown Water Company
T-03651A	OLS, Inc.
T-04021A	Pacific Communications, LLC
T-03435A	Salty Dawg, Inc. dba 5 & Diner
T-03984A	SNIP Link, LLC
T-04213A	T.N.C., Inc.
T-03949A	TCAST Communications, Inc.
T-04234A	Teledata Solutions, Inc.
T-03363A	Teletrust, Inc.
W-02419A	Tubac Water Company, Inc.
T-04261A	United American Technology, Inc.
T-03599A	Uni-Tel Communications Group, Inc.
W-01084A	William P. Farr dba Salome Water Company
W-02173A	Willow Lakes Property Owners Association, Inc.
T-04156A	Yak America, Inc.

16. Ms. Ortiz testified that companies or entities can find the requirements to file their annual reports on the Utilities Division website, in the A.A.C. Rules, and in the A.R.S. (Tr. at 7.)

1 17. Ms. Ortiz testified that annual reports are important to Staff because they allow Staff to
2 identify utilities that are solvent and/or in need of rates. (Tr. at 7.) Ms. Ortiz further testified that the
3 annual reports provide customer count, water usage data, plan information and are a means for Staff to
4 monitor utilities that are actively serving the public. (*Id.*)

5 18. The 2013 Annual Reports were all due on or before April 15, 2014. (Tr. at 8.)

6 19. Ms. Ortiz testified that in July, 2014, Staff provided a list of utilities who were
7 delinquent in the filing of their 2013 Annual Reports. (Tr. at 8.)

8 20. Ms. Ortiz testified that Staff attempted to obtain 2013 Annual Reports from the
9 Remaining Respondents by placing telephone calls, sending emails to the contacts on file for each of
10 the utilities, and issuing delinquent notices, with which Staff included copies of the statutes and rules
11 that require public service corporations to file annual reports. (Tr. at 9.)

12 21. Ms. Ortiz testified that all the Remaining Respondents were notified of the
13 consequences for failing to file an annual report. (Tr. at 9.)

14 22. Ms. Ortiz testified that Staff worked with the Arizona Department of Environmental
15 Quality ("ADEQ"), the Maricopa County Environmental Services Division ("MCED"), the Arizona
16 Department of Water Resources ("ADWR"), and the Federal Communications Commission ("FCC")
17 to determine what the status and condition of the utilities were. (Tr. at 9.)

18 23. Ms. Ortiz testified that the following Remaining Respondents have already had their
19 CC&Ns revoked: Beaver Valley Water Company, Inc.⁴; Crown King Water Company, Inc.⁵;
20 Morristown Water Company⁶; and William P. Farr dba Salome Water Company⁷ (collectively referred
21 to as "Revoked Respondents"). (Tr. at 11.)

22 24. Ms. Ortiz testified that two water utilities, Bachmann Springs Utility Company and
23 Tubac Water Company, Inc., are shown as inactive. (Tr. at 14-15.) Ms. Ortiz further testified that FCC
24 records helped identify the following non-water companies as inactive: American Technologies, Inc.
25 dba Network Utilization Services; Baldwin County Internet/DSSI Service, L.L.C.; Candace Adair dba
26

27 ⁴ See Decision No. 71245 (August 6, 2009).

⁵ See Decision No. 64395 (January 31, 2002).

⁶ See Decision No. 70199 (March 20, 2008).

28 ⁷ See Decision No. 64395 (January 31, 2002).

1 Adair Communications; CVC CLEC, LLC; Go Solo Technologies, Inc.; OLS, Inc.; Pacific
2 Communications, LLC; SNIP Link, LLC; and TCAST Communications, Inc. (Tr. at 15-16.) Ms. Ortiz
3 also noted that Staff believes Salty Dawg, Inc. dba 5 & Diner is no longer in existence because the last
4 annual report that is on file for this company contains a note that states the pay phone is out of order
5 and that the company has no intent to repair it. (*Id.*)

6 25. Ms. Ortiz testified that she has communicated, or attempted to communicate, with each
7 of the Revoked Respondents to find out why they are not filing annual reports. (Tr. at 18-20.)

8 26. Ms. Ortiz testified that she spoke with Mike Davoren for Beaver Valley Water Company
9 who said that he was putting the annual report forms in the mail. (Tr. at 19.) Ms. Ortiz noted that Staff
10 never received any forms. (*Id.*)

11 27. Ms. Ortiz testified that she spoke with Phyllis Barney for Crown King Water Company,
12 Inc. who indicated she was going to send in the annual report forms. (Tr. at 19.) Ms. Ortiz noted that
13 despite emailing her the forms Ms. Barney failed to send them back. (*Id.*)

14 28. Ms. Ortiz testified that she spoke with Jim Conan for Morristown Water Company who
15 indicated he is in compliance with MCESD and seemed willing to be cooperative. (Tr. at 19.) Ms.
16 Ortiz noted that Mr. Conan has not been responsive to the annual report forms that were both mailed
17 and emailed to him. (*Id.*)

18 29. Ms. Ortiz testified that she has been unsuccessful in speaking with William Farr for
19 William P. Farr dba Salome Water Company. (Tr. at 20.) Ms. Ortiz noted she left messages for Mr.
20 Farr at both his water company and at a bar in Salome, Arizona, in which Mr. Farr is the owner. (*Id.*)
21 Ms. Ortiz further noted Mr. Farr has been unresponsive to any of her attempts to communicate with
22 him. (*Id.*)

23 30. Ms. Ortiz testified that she spoke with a couple of other companies. Ms. Ortiz testified
24 that she spoke with Claudia Ness for Bellemont Water Co. who promised to get the annual report filed.
25 (Tr. at 19.) Ms. Ortiz noted that Staff has not received any filings from Ms. Ness. (*Id.*) Ms. Ortiz also
26 testified that she spoke with Charles Summer, the former certified operator for Willow Lakes Property
27 Owners Association, Inc. (Tr. at 20.) Because she has been unsuccessful in speaking with the owner
28 for Willow Lakes Property Owners Association, Inc., Ms. Ortiz noted that she asked Mr. Summer for

1 the company owner's contact information. (*Id.*)

2 31. On March 4, 2016, Staff filed a memorandum stating that LDC Enterprises, Inc. dba
3 Full Serv Gas has filed to cancel its CC&N. LDC Enterprises, Inc. dba Full Serv Gas' request to cancel
4 its CC&N is being handled in another open docket. Staff recommends LDC Enterprises, Inc. dba Full
5 Serv Gas should be dismissed from this matter.

6 **Annual Report Requirements & Staff Recommendations**

7 32. A.R.S. § 40-204(A) provides:

8 A. Every public service corporation shall furnish to the commission, in the
9 form and detail the commission prescribes, tabulations, computations,
10 annual reports, monthly or periodical reports of earnings and expenses, and
11 all other information required by it to carry into effect the provisions of this
12 title and shall make specific answers to all questions submitted by the
commission. If a corporation is unable to answer any question, it shall give
a good and sufficient reason therefor. (Emphasis added.)

13 33. The Commission has included this annual reporting requirement in its rules for the
14 different types of utilities operating in the State. A.A.C. R14-2-411(D)(4) requires each water utility
15 to submit an annual report to the Commission, on a form prescribed by the Commission, by April 15
16 for the preceding calendar year. A.A.C. R14-2-510(G)(4) imposes the same requirement for each
17 telephone utility. A.A.C. R14-2-610(D)(4) imposes the same requirement for each sewer utility.
18 A.A.C. R14-2-1115(F) imposes the same requirement for each telecommunications company providing
19 competitive telecommunications services. A.A.C. R14-2-907(A) imposes the same type of annual
20 report requirement, although with a February 1 deadline, for each customer-owned pay telephone
21 ("COPT") provider. A.A.C. R14-2-1011(A) imposes an annual report requirement for each alternative
22 operator service ("AOS") provider, although without an explicit filing deadline in the rule.

23 34. Staff recommends that the Commission revoke the CC&Ns of the Remaining
24 Respondents who still hold CC&Ns and impose a fine between \$100 and \$5,000 on each Revoked
25 Respondent. (Tr. at 13-14, 17.)

26 **Commission Authority to Act**

27 35. A.R.S. § 40-246(A) authorizes the Commission, on its own motion, to make a complaint
28

1 against any public service corporation "setting forth any act or thing done or omitted to be done by
2 [the] public service corporation in violation, or claimed to be in violation, of any provision of law or
3 any order or rule of the commission."

4 36. § 40-424 provides:

5 40-424. Contempt of corporation commission; penalty

6 A. If any corporation or person fails to observe or comply with any order,
7 rule, or requirement of the commission or any commissioner, the
8 corporation or person shall be in contempt of the commission and shall,
9 after notice and hearing before the commission, be fined by the commission
10 in an amount not less than one hundred nor more than five thousand dollars,
11 which shall be recovered as penalties.

12 B. The remedy prescribed by this article shall be cumulative.

13 37. A.R.S. § 40-425 provides:

14 40-425. Penalty for violations not otherwise provided for; separate and
15 continuing offenses; responsibility of corporation for acts of officers, agents
16 or employees

17 A. Any public service corporation which violates or fails to comply with
18 any provision of the constitution or of this chapter, or which fails or neglects
19 to obey or comply with any order, rule or requirement of the commission,
20 the penalty for which is not otherwise provided, is subject to a penalty of
21 not less than one hundred nor more than five thousand dollars for each
22 offense.

23 B. Each violation is a separate offense, but violations continuing from day
24 to day are one offense.

25 C. In enforcing penalties the act or omission of any officer, agent or
26 employee of a public service corporation, acting within the scope of his
27 duties or employment is the act, omission or failure of such corporation.

28 38. A.R.S. § 40-202(A) provides: "The commission may supervise and regulate every
public service corporation in the state and do all things, whether specifically designated in this title or
in addition thereto, necessary and convenient in the exercise of that power and jurisdiction."

Resolution

39. Staff's recommendation to dismiss from this matter LDC Enterprises, Inc. dba Full Serv
Gas, Legacy Long Distance International, Inc. and Strawberry Water Company is reasonable and
appropriate and will be adopted.

40. We find that by failing to file their 2013 Annual Reports, all of the Remaining

1 Respondents have violated A.R.S. § 40-204(A); that the water utilities have also violated A.A.C. R14-
2 2-411(D)(4); that the competitive telecommunications providers have also violated A.A.C. R14-2-
3 1115(F); and that the COPT provider has also violated A.A.C. R14-2-907(A). Thus, we find that under
4 A.R.S. §§ 40-424 and 40-425, all of the Remaining Respondents are subject to penalties ranging from
5 \$100 to \$5,000 and that, under A.R.S. § 40-202(A), all of the Remaining Respondents whose CC&Ns
6 have not been revoked already are subject to revocation of their CC&Ns.

7 41. Exhibit S-1, which is attached hereto as Attachment A and incorporated herein,
8 summarizes the actions taken, if applicable, against the Remaining Respondents in the Commission
9 Decisions regarding utilities' failure to file Annual Reports for the years 1999 through 2008. On
10 January 21, 2016, Staff filed a Notice of Filing Late-Filed Exhibit ("Late-Filed Exhibit"), which is
11 attached hereto as Attachment B and incorporated herein, identifying only those Remaining
12 Respondents who were previously fined with the year and Decision No. indicated. As shown in the
13 Late-Filed Exhibit, the following Remaining Respondents were fined for failure to file Annual Reports
14 for the years indicated: Beaver Valley Water Company, Inc. (2008); Crown King Water Company,
15 Inc. (1999, 2006-2008); Morristown Water Company (2005-2008); and William P. Farr dba Salome
16 Water Company (1999-2001, 2003, 2005-2008).

17 42. We find that Staff's recommendation to fine each Revoked Respondent is reasonable
18 and appropriate. We find that the fine amounts should be based on the Remaining Respondents'
19 differing levels of historical noncompliance with Annual Report filing requirements, as set forth in
20 Exhibit S-1 and the Late-Filed Exhibit. Because Beaver Valley Water Company, Inc. failed to file its
21 2008 Annual Report, we find that it is reasonable and appropriate to assess Beaver Valley Water
22 Company, Inc. a \$200 penalty for its failure to file its 2013 Annual Report. Because Crown King
23 Water Company, Inc. failed to file an Annual Report for 1999 and 2006-2008, we find that it is
24 reasonable and appropriate to assess Crown King Water Company, Inc. a \$700 penalty for its failure
25 to file its 2013 Annual Report. Because Morristown Water Company failed to file its 2005-2008
26 Annual Reports, we find that it is reasonable and appropriate to assess Morristown Water Company a
27 \$700 penalty for its failure to file its 2013 Annual Report. Because William P. Farr dba Salome Water
28 Company also failed to file its 1999-2001, 2003, and 2005-2008 Annual Reports, we find that it is

1 reasonable and appropriate to assess William P. Farr dba Salome Water Company a \$1,500 penalty for
2 its failure to file its 2013 Annual Report.

3 43. We also find that it is reasonable and appropriate to assess the other Remaining
4 Respondents, based on this being their first reported violation of the reporting requirements, as set forth
5 in Exhibit S-1, a \$100 penalty: American Cyber Corporation dba Discount Plus; American
6 Technologies, Inc. dba Network Utilization Services; Bachmann Springs Utility Company; Baldwin
7 County Internet/DSSI Service, L.L.C.; Bellemont Water Co.; Candace Adair dba Adair
8 Communications; Charles Bellows dba J B Payphones; CVC CLEC, LLC; EMC Telecom Corporation;
9 Go Solo Technologies, Inc.; Inmate Communications Corporation; LDC Telecommunications, Inc.;
10 OLS, Inc.; Pacific Communications, LLC; Salty Dawg, Inc. dba 5 & Diner; SNIP Link, LLC; T.N.C.,
11 Inc.; TCAST Communications, Inc.; Teledata Solutions, Inc.; Teletrust, Inc.; Tubac Water Company,
12 Inc.; United American Technology, Inc.; Uni-Tel Communications Group, Inc.; Willow Lakes
13 Property Owners Association, Inc.; and Yak America, Inc.

14 44. We also find that it is reasonable and appropriate and in the public interest to revoke the
15 CC&Ns of the Remaining Respondents whose CC&Ns have not already been revoked.

16 45. We further find that it is reasonable and appropriate to allow each Remaining
17 Respondent to file with Staff, within 60 days after the effective date of this Decision, its 2013 Annual
18 Report and, if a Remaining Respondent makes such a filing, as verified by a Staff filing made in this
19 Docket within 90 days after the effective date of this Decision, to render null and void, without further
20 Order of the Commission, both the penalty imposed on and the CC&N revocation as to such Remaining
21 Respondent.

22 CONCLUSIONS OF LAW

23 1. The Respondents are public service corporations within the meaning of Article XV of
24 the Arizona Constitution and A.R.S. Title 40, Chapter 2.

25 2. The Commission has jurisdiction over the Respondents and the subject matter of the
26 Complaint and Order to Show Cause.

27 3. A.R.S. § 40-246(A) authorizes the Commission to initiate a Complaint and Order to
28 Show Cause proceeding against a public service corporation based on an act or omission of the public

1 service corporation in violation, or claimed to be in violation, of any provision of law or any order or
2 rule of the Commission.

3 4. Notice of this Complaint and Order to Show Cause matter and of the hearing held herein
4 was provided to the Respondents as required by law.

5 5. It is reasonable and appropriate and in the public interest to dismiss from this matter
6 LDC Enterprises, Inc. dba Full Serv Gas, Legacy Long Distance International, Inc. and Strawberry
7 Water Company.

8 6. Under A.R.S. § 40-204(A) and A.A.C. R14-2-411(D)(4), the Remaining Respondent
9 water utilities were required to file their 2013 Annual Reports by April 15, 2014, which they failed to
10 do.

11 7. Under A.R.S. § 40-204(A) and A.A.C. R14-2-1115(F), the Remaining Respondent
12 competitive telecommunications providers were required to file their 2013 Annual Reports by April
13 15, 2014, which they failed to do.

14 8. Under A.R.S. § 40-204(A) and A.A.C. R14-2-907(A), the Remaining Respondent
15 COPT providers were required to file their 2013 Annual Report by February 1, 2014, which they failed
16 to do.

17 9. By failing to file their 2013 Annual Reports, the Remaining Respondents have all
18 violated A.R.S. § 40-204(A); the Remaining Respondent water utilities have also violated A.A.C. R14-
19 2-411(D)(4); the Remaining Respondent competitive telecommunications providers have also violated
20 A.A.C. R14-2-1115(F); and the Remaining Respondent COPT providers have also violated A.A.C.
21 R14-2-907(A).

22 10. Under A.R.S. §§ 40-424 and 40-425, the Remaining Respondents are subject to
23 penalties ranging from \$100 to \$5,000 for their violations of A.R.S. § 40-204(A) and Commission
24 rules.

25 11. It is reasonable and appropriate and in the public interest to assess against the Remaining
26 Respondents the penalties set forth in Findings of Fact Nos. 42 and 43.

27 12. Under A.R.S. § 40-202(A), the Remaining Respondents whose CC&Ns have not
28 already been revoked are subject to revocation of their CC&Ns for their violations of A.R.S. § 40-

204(A) and Commission rules.

13. It is reasonable and appropriate and in the public interest to revoke the CC&Ns of the Remaining Respondents whose CC&Ns have not already been revoked.

14. It is reasonable and appropriate and in the public interest to allow each Remaining Respondent to file with Staff, within 60 days after the effective date of this Decision, its 2013 Annual Report and, if a Remaining Respondent makes such a filing, and such filing is verified by a Staff filing made in this Docket within 90 days after the effective date of this Decision, to render null and void, without further Order of the Commission, both the penalty imposed on and the CC&N revocation as to such Remaining Respondent.

ORDER

IT IS THEREFORE ORDERED that LDC Enterprises, Inc. dba Full Serv Gas, Legacy Long Distance International, Inc. and Strawberry Water Company are dismissed from this proceeding.

IT IS FURTHER ORDERED that the Certificates of Convenience and Necessity of the following Remaining Respondents are hereby revoked, subject to the condition in the fourth Ordering Paragraph herein:

<u>Docket No.</u>	<u>Company Name</u>
T-02890A	American Cyber Corporation dba Discount Plus
T-03227A	American Technologies, Inc. dba Network Utilization Services
WS-03953A	Bachmann Springs Utility Company
T-20544A	Baldwin County Internet/DSSI Service, L.L.C.
W-02526A	Bellemont Water Co.
T-03014A	Candace Adair dba Adair Communications
T-04233A	Charles Bellows dba J B Payphones
T-20646A	CVC CLEC, LLC
T-20615A	EMC Telecom Corporation
T-20774A	Go Solo Technologies, Inc.
T-02814A	Inmate Communications Corporation
T-03132A	LDC Telecommunications, Inc.
T-03651A	OLS, Inc.
T-04021A	Pacific Communications, LLC
T-03435A	Salty Dawg, Inc. dba 5 & Diner
T-03984A	SNIP Link, LLC
T-04213A	T.N.C., Inc.
T-03949A	TCAST Communications, Inc.
T-04234A	Teledata Solutions, Inc.

T-03363A	Teletrust, Inc.
W-02419A	Tubac Water Company, Inc.
T-04261A	United American Technology, Inc.
T-03599A	Uni-Tel Communications Group, Inc.
W-02173A	Willow Lakes Property Owners Association, Inc.
T-04156A	Yak America, Inc.

IT IS FURTHER ORDERED that the following Remaining Respondents shall pay the following penalties to the Commission, in the form of a cashier's check or money order made payable to the Arizona Corporation Commission and delivered to the Commission's Business Office, within 90 days after the effective date of this Decision, subject to the condition in the fourth Ordering Paragraph herein:

Docket No.	Company Name	Penalty Due
T-02890A	American Cyber Corporation dba Discount Plus	\$100
T-03227A	American Technologies, Inc. dba Network Utilization Services	\$100
WS-03953A	Bachmann Springs Utility Company	\$100
T-20544A	Baldwin County Internet/DSSI Service, L.L.C.	\$100
W-02015A	Beaver Valley Water Company	\$200
W-02526A	Bellemont Water Co.	\$100
T-03014A	Candace Adair dba Adair Communications	\$100
T-04233A	Charles Bellows dba J B Payphones	\$100
W-01558A	Crown King Water Company, Inc.	\$700
T-20646A	CVC CLEC, LLC	\$100
T-20615A	EMC Telecom Corporation	\$100
T-20774A	Go Solo Technologies, Inc.	\$100
T-02814A	Inmate Communications Corporation	\$100
T-03132A	LDC Telecommunications, Inc.	\$100
W-02164A	Morristown Water Company	\$700
T-03651A	OLS, Inc.	\$100
T-04021A	Pacific Communications, LLC	\$100
T-03435A	Salty Dawg, Inc. dba 5 & Diner	\$100
T-03984A	SNIP Link, LLC	\$100
T-04213A	T.N.C., Inc.	\$100
T-03949A	TCAST Communications, Inc.	\$100
T-04234A	Teledata Solutions, Inc.	\$100
T-03363A	Teletrust, Inc.	\$100
W-02419A	Tubac Water Company, Inc.	\$100
T-04261A	United American Technology, Inc.	\$100
T-03599A	Uni-Tel Communications Group, Inc.	\$100
W-01084A	William P. Farr dba Salome Water Company	\$1,500
W-02173A	Willow Lakes Property Owners Association, Inc.	\$100
T-04156A	Yak America, Inc.	\$100

IT IS FURTHER ORDERED that if a Remaining Respondent files its 2013 Annual Report with Staff, within 60 days after the effective date of this Decision, as verified by a Staff filing made in this Docket within 90 days after the effective date of this Decision, both the penalty imposed herein and the CC&N revocation made herein as to such Remaining Respondent shall be rendered null and void, without further Order of the Commission.

IT IS FURTHER ORDERED that Staff shall, within 90 days after the effective date of this Decision, file in this Docket a document setting forth the name of each Remaining Respondent who has filed its 2013 Annual Reports with Staff within 60 days after the effective date of this Decision, along with the filing date for each such 2013 Annual Report.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____ 2016.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
BS:dp

SERVICE LIST FOR:

FAILURE TO FILE 2013 ANNUAL REPORTS

DOCKET NO.:

C-00000A-15-0118

American Cyber Corporation
dba Discount Plus
107 West Michigan, 4th Floor
Kalamazoo, Michigan 49007

Americom Technologies, Inc.
dba Network Utilization Services
PO Box 990-165
Boston, Massachusetts 02199

Bachmann Springs Utility Company
PO Box 9
Tombstone, Arizona 85638

Baldwin County Internet/DSSI Service, L.L.C.
1240 Commerce Drive, Suite A
Gulf Shores, Alabama 36542

Beaver Valley Water Company, Inc.
P.O. Box 421
Payson, Arizona 85547

Bellemont Water Co.
PO Box 31176
Flagstaff, Arizona 86003

Candice Adair
dba Adair Communications
4218 W. Flower St.
Phoenix, Arizona 85019-4135

Charles Bellows
dba J B Payphones
4630 First North Avenue
PO Box 573
Joseph City, Arizona 86032

Crown King Water Company, Inc.
4918 West Park View Ln.
Glendale, Arizona 85310

CVC CLEC, LLC
5909 NW Expressway
Suite 101
Oklahoma City, Oklahoma 73132

- 1 EMC Telecom Corporation
2533 North Carson Street
Suite 125
2 Carson, Nevada 89706
- 3 Go Solo Technologies, Inc.
4 5410 Mariner St., Suite 175
Tampa, Florida 33609
- 5 Inmate Communications Corporation
6 1640 S. Sepulveda Blvd., Suite 207
Los Angeles, California 90025
- 7 LDC Telecommunications, Inc.
8 2451 McMullen Booth Road. - 200
Clearwater, Florida 33759
- 9 Morristown Water Company
10 c/o Jim Konin, Acting President
PO Box 156
11 Morristown, Arizona 85342
- 12 OLS, Inc.
13 217 Roswell St., Ste. 100
Alpharetta, Georgia 30069
- 14 Pacific Communications, LLC
15 575 Anton Boulevard, Suite 900
Costa Mesa, California 92626
- 16 Salty Dawg, Inc.
17 dba 5 & Diner
4520 North Stone Avenue
18 Tucson, Arizona 85705
- 19 SNIP Link, LLC
100-A Twinbridge Dr.
20 Pennsauken, New Jersey 08110
- 21 T.N.C., Inc.
22 5408 N. 99th St., Ste. C
Omaha, Nebraska 68134
- 23 TCAST Communications, Inc.
24 24251 Town Center Dr. 2nd Floor
Valencia, California 91355
- 25 Teledata Solutions, Inc.
26 1767 Route 22 West
Union, New Jersey 07083
- 27
28

1 Teletrust, Inc.
2 419 S. Walnut
3 Sherman, Texas 75090

4 Tubac Water Company, Inc.
5 c/o John Crowley
6 1444 Wazee Street, Suite 350
7 Denver, Colorado 80202

8 United American Technology, Inc.
9 1427 Fretz Dr.
10 Edmond, Oklahoma 73003

11 Uni-Tel Communications Group, Inc.
12 P.O. Box 1000
13 Naperville, Illinois 60563

14 William P. Farr
15 dba Salome Water Company
16 PO Box 550
17 Salome, Arizona 85348

18 Willow Lakes Property Owners Association, Inc.
19 PO Box 875
20 Benson, Arizona 85602

21 Yak America, Inc.
22 PO Box 414629
23 Miami Beach, Florida 33141

24 Janice Alward, Chief Counsel
25 Legal Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, AZ 85007

Thomas Broderick, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

EXHIBIT S-1

	Docket No.	Company Name	Involvement in 1999-2008 Annual Report ("AR") Cases ¹
1.	T-02890A	American Cyber Corporation dba Discount Plus FCC: <i>Record on file.</i> <i>Unsuccessful in contact.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
2.	T-03227A	Americom Technologies, Inc. dba Network Utilization Services FCC: <i>1/1/1997 - No Longer</i> <i>Active. Unsuccessful contact.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
3.	WS-03953A	Bachmann Springs Utility Company CCN: 63861, dtd 7/9/01 Customers: 0 Location: 6 Miles N Of Tucson ADEQ: <i>Inspector pre-work shows</i> <i>Certificate of Dissolution in 2011.</i> <i>Site Inspection performed, facility</i> <i>not in operation. Locked & closed.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

EXHIBIT S-1

	Docket No.	Company Name	Involvement in 1999-2008 Annual Report ("AR") Cases ¹
1.	T-02890A	American Cyber Corporation dba Discount Plus FCC: <i>Record on file. Unsuccessful in contact.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
2.	T-03227A	Americom Technologies, Inc. dba Network Utilization Services FCC: <i>1/1/1997 - No Longer Active. Unsuccessful contact.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
3.	WS-03953A	Bachmann Springs Utility Company CCN: 63861, dtd 7/9/01 Customers: 0 Location: 6 Miles N Of Tucson ADEQ: <i>Inspector pre-work shows Certificate of Dissolution in 2011. Site Inspection performed, facility not in operation. Locked & closed.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

4.	T-20544A	<p>Baldwin County Internet/DSSI Service, L.L.C.</p> <p>FCC: 6/22/2012 – Chapter 7 Bankruptcy.</p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Not named</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Not named</p>
5.	W-02015A	<p>Beaver Valley Water Company</p> <p>CCN: 50918, dtd 5/1980</p> <p>Customers: 200 (2009 AR)</p> <p>Location: Gila County, N of Payson</p> <p>Class: D</p> <p>ADEQ: 10/22/2015-Monitoring & Reporting deficiencies.</p> <p><i>Successful contact w/Mike Daveron c/o Beaver Valley in March and April, 2015</i></p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Named in OSC; dismissed without penalty</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Named in OSC; CC&N rescinded and revoked; \$100 penalty</p>
6.	W-02015A	<p>Bellemont Water Co.</p> <p>CCN: 58079, dtd 11/12/92</p> <p>Customers: 8 Metered, 1 Standpipe (2008 AR)</p> <p>Location: Coconino County, 10 miles West of Flagstaff</p> <p>ADEQ: 9/28/2015 -Monitoring & Reporting deficiencies & Operation & Maintenance deficiencies.</p> <p><i>Successful contact w/Claudia Ness in Feb. & September 2015</i></p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Not named</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Not named</p>

7.	T-03014A	Candace Adair dba Adair Communications FCC: <i>1/1/2004 – No Longer Active. (Company is out of Business/No Sale of Assets)</i> <i>Contact Unsuccessful.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
8.	T-04233A	Charles Bellows dba JB Payphones FCC: <i>No Record on file for the Company. Unsuccessful Contact.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
9.	W-01558A	Crown King Water Company, Inc. CCN: 30664, dtd 12/16/1957 Customers: 86 (ADEQ) Location: ADEQ: <i>10/2/2015-Monitoring & Reporting deficiencies.</i> <i>Contact successful w/Phyllis Barney in Feb., March and April, 2015</i>	<u>1999 AR:</u> Named in OSC; CC&N rescinded and revoked; \$200 penalty <u>2000 AR:</u> Named in OSC; dismissed without penalty <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Named in OSC; \$200 penalty <u>2007 AR:</u> Named in OSC; \$200 penalty <u>2008 AR:</u> Named in OSC; \$700 penalty

10.	T-20646A	CVC CLEC, LLC FCC: 4/5/2010-No Longer Active. <i>Contact Unsuccessful</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
11.	T-20615A	EMC Telecom Corporation FCC: No Record on file. <i>Contact Unsuccessful</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
12.	T-20774A	Go Solo Technologies, Inc. FCC: 12/24/2013-No Longer Active. <i>Contact Unsuccessful</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
13.	T-02814A	Inmate Communications Corporation FCC: Record on file. <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

14.	T-04222A	LDC Enterprises, Inc. dba Full Serv Gas FCC: No Record on file. Unsuccessful Contact	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
15.	T-03132A	LDC Telecommunications, Inc. FCC: Record on file. Unsuccessful Contact	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
16.	T-03669A	Legacy Long Distance- International, Inc. (AR FILED 12/30/2015)	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
17.	W-02164A	Morristown Water Company CCN: 41802, dtd 12/20/71 Customers: 120 (Maricopa County) Location: Maricopa County, 35 Miles N of Phx Maricopa County Environmental Services: <i>Substantial Compliance.</i> <i>Successful contact w/Jim Konin in Feb, 2015</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Named in OSC; AR filed late; dismissed without penalty <u>2005 AR:</u> Named in OSC; CC&N revoked; \$200 penalty <u>2006 AR:</u> Named in OSC; \$200 penalty <u>2007 AR:</u> Named in OSC; \$200 penalty <u>2008 AR:</u> Named in OSC; \$700 penalty

18.	T-03651A	<p>OLS, Inc.</p> <p>FCC: 12/31/2010 - NO Longer active 12/31/2010. Co out of Business.</p> <p><i>Unsuccessful contact.</i></p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Not named</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Not named</p>
19.	T-04021A	<p>Pacific Communications, LLC</p> <p>FCC: 10/20/2008- No Longer providing telecommunication services.</p> <p><i>Unsuccessful Contact</i></p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Not named</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Not named</p>
20.	T-03435A	<p>Salty Dawg, Inc. dba 5 & Diner</p> <p>FCC: No Record on file.</p> <p>Note: 2009 AR- Pay Phone Out of Order/No Intent to Repair.</p> <p><i>Unsuccessful contact</i></p>	<p><u>1999 AR:</u> Not named</p> <p><u>2000 AR:</u> Not named</p> <p><u>2001 AR:</u> Not named</p> <p><u>2002 AR:</u> Not named</p> <p><u>2003 AR:</u> Not named</p> <p><u>2004 AR:</u> Not named</p> <p><u>2005 AR:</u> Not named</p> <p><u>2006 AR:</u> Not named</p> <p><u>2007 AR:</u> Not named</p> <p><u>2008 AR:</u> Not named</p>

21.	T-03984A	SNIP Link, LLC FCC: 3/25/2010-Company absorbed by another Company (NetCarrier Telecom, LLC) No operations in Arizona Note: Notice mailed to NetCARRIER Telecom	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
22.	W-01407A	Strawberry Water Company CCN: 42226, dtd 7/13/72 Customers: 45 (2013 AR) Location: Strawberry, Arizona Note: Successful contact w/Albert Hunt) in January 2015. (AR FILED 1/14/2016)	<u>1999 AR:</u> Named in OSC; CC&N rescinded and revoked; \$200 penalty (both rescinded due to filing of AR within 60 days after Decision) <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Named in OSC; AR filed late; dismissed without penalty <u>2003 AR:</u> Not Named <u>2004 AR:</u> Not Named <u>2005 AR:</u> Named in OSC; AR filed late; dismissed without penalty <u>2006 AR:</u> Named in OSC; AR filed late; dismissed without penalty <u>2007 AR:</u> Named in OSC; AR filed late; dismissed without penalty
23.	T-04213A	T.N.C., Inc. FCC: No record on file. Unsuccessful Contact.	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

24.	T-03949A	TCAST Communications, Inc. FCC: 2/28/2014-No Longer Active. <i>Chapter 7 Bankruptcy</i> <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
25.	T-04234A	Teledata Solutions, Inc. Note: Record on file. <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
26.	T-03363A	Teletrust, Inc. Note: Record on file. <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

27.	W-02419A	Tubac Water Company, Inc. CCN: 54071, dtd 6/6/84 Customers: 0 Location: Town of Tubac ADWR: 10/202015 - Well Nos. are Unused. <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
28.	T-04261A	United American Technology, Inc. FCC: Record on file. <i>Unsuccessful Contact</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named
29.	T-03599A	Uni-Tel Communications Group, Inc. FCC: Record on file. No operations in Arizona. <i>Note: OSC correspondence mailed to Attorney, Fred Roth.</i>	<u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named

30.	W-01084A	<p>William P. Farr dba Salome Water Company</p> <p>CCN: 50387, dtd 12/2/79 Customers: 171 (ADEQ) Location: Salome, AZ</p> <p>ADEQ: 10/2/2015-In Compliance. <i>UnSuccessful Contact. March and September 2015, left v/m message. No Return Call.</i></p>	<p><u>1999 AR:</u> Named in OSC; CC&N rescinded and revoked; \$200 penalty <u>2000 AR:</u> Named in OSC; \$1,000 penalty <u>2001 AR:</u> Named in OSC; \$250 penalty <u>2002 AR:</u> Named in OSC; dismissed without penalty <u>2003 AR:</u> Named in OSC; \$200 penalty <u>2004 AR:</u> Not named <u>2005 AR:</u> Named in OSC; \$200 penalty <u>2006 AR:</u> Named in OSC; \$200 penalty <u>2007 AR:</u> Named in OSC; \$200 penalty <u>2008 AR:</u> Named in OSC; \$1500 penalty</p>
31.	W-01084A	<p>Willow Lakes Property Owners Association, Inc.</p> <p>CCN: 52251, dtd 6/19/81 Customers: 83 (ADEQ) Location: Cochise county, 10 Miles N of Benson</p> <p>ADEQ: In Compliance <i>UnSuccessful contact. Left message w/former Certified Operator, Charles Summer.</i></p>	<p><u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named</p>
32.	T-04156A	<p>Yak America, Inc.</p> <p>FCC: Record on file. <i>Unsuccessful Contact</i></p>	<p><u>1999 AR:</u> Not named <u>2000 AR:</u> Not named <u>2001 AR:</u> Not named <u>2002 AR:</u> Not named <u>2003 AR:</u> Not named <u>2004 AR:</u> Not named <u>2005 AR:</u> Not named <u>2006 AR:</u> Not named <u>2007 AR:</u> Not named <u>2008 AR:</u> Not named</p>

ATTACHMENT B
BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE – Interim Chairman
 BOB STUMP
 BOB BURNS
 TOM FORESE

RECEIVED
 AZ CORP COMMISSION
 DOCKET CONTROL

2016 JAN 21 AM 10 11

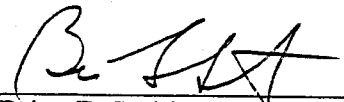
IN THE MATTER OF THE COMMISSION ON
 ITS OWN MOTION INVESTIGATING THE
 FAILURE OF NUMEROUS UTILITIES TO
 FILE ANNUAL REPORTS FOR CALENDAR
 YEAR 2013.

DOCKET NO. C-00000A-15-0118

**STAFF'S NOTICE OF FILING
 LATE-FILED EXHIBIT**

At the January 20, 2016, hearing in this matter, the Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission"), pursuant to the request of the Administrative Law Judge, agreed to file a list of Commission decisions which previously revoked the Certificates of Convenience and Necessity ("CCN") of and/or assessed penalties to those regulated utilities identified in this docket as not having filed their annual reports for the 2013 calendar year. Attached hereto is the referenced list which was compiled and prepared by Staff witness, Guadalupe Ortiz.

RESPECTFULLY SUBMITTED this 21st day of January, 2016.


 Brian E. Smith, Attorney
 Legal Division
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007
 (602) 542-3402

Original and thirteen (13) copies of the foregoing filed this 21st day of January, 2016, with:

Docket Control
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007

...

DECISION NO. _____

1 Copy of the foregoing mailed this 21st
 2 day of January, 2016, to:

3 American Cyber Corporation
 4 dba Discount Plus
 107 West Michigan, 4th Floor
 Kalamazoo, Michigan 49007

5 American Technologies, Inc.
 6 dba Network Utilization Services
 PO Box 990-165
 Boston, Massachusetts 02199

7 Bachmann Springs Utility Company
 8 PO Box 9
 Tombstone, Arizona 85638

9 Baldwin County Internet/DSSI Service, L.L.C.
 10 1240 Commerce Drive, Suite A
 Gulf Shores, Alabama 36542

11 Beaver Valley Water Company, Inc.
 12 PO Box 421
 Payson, Arizona 85547

13 Bellemont Water Co.
 14 PO Box 31176
 Flagstaff, Arizona 86003

15 Candace Adair dba Adair Communications
 16 4218 West Flower Street
 Phoenix, Arizona 85019-4135

17 Charles Bellows dba J B Payphones
 18 4630 First North Avenue
 PO Box 573
 19 Joseph City, Arizona 86032

20 Crown King Water Company, Inc.
 4918 West Park View Lane
 21 Glendale, Arizona 85310

22 CVC CLEC, LLC
 5909 NW Expressway, Suite 101
 23 Oklahoma City, Oklahoma 73132

24 EMC Telecom Corporation
 2533 North Carson Street, Suite 125
 25 Carson, Nevada 89706

26 Go Solo Technologies, Inc.
 5410 Mariner Street, Suite 175
 27 Tampa, Florida 33609

Inmate Communications Corporation
 1640 S. Sepulveda Blvd., Suite 207
 Los Angeles, California 90025

LDC Enterprises, Inc. dba Full Serv Gas
 2100 West Acoma
 Lake Havasu City, Arizona 86403

LDC Telecommunications, Inc.
 2451 McMullen Booth Road, Suite 200
 Clearwater, Florida 33759

Legacy Long Distance International, Inc.
 c/o Rueben Quinonescastro
 10833 Valley View Street, Suite 150
 Cypress, California 90630

Morristown Water Company
 c/o Jim Konin, Acting President
 PO Box 156
 Morristown, Arizona 85342

OLS, Inc.
 217 Roswell St., Suite 100
 Alpharetta, Georgia 30069

Pacific Communications, LLC
 575 Anton Boulevard, Suite 900
 Costa Mesa, California 92626

Salty Dawg, Inc. dba 5 & Diner
 4964 N. Calle Bujia
 Tucson, Arizona 85718

SNIP Link, LLC
 c/o Netcarrier
 4000 North Cannon Avenue
 Lansdale, PA 19446

Strawberry Water Company
 HC 1 Box 817
 Pine, Arizona 85544-9719

T.N.C., Inc.
 5408 N. 99th Street, Suite C
 Omaha, Nebraska 68134

TCAST Communications, Inc.
 24251 Town Center Drive, 2nd Floor
 Valencia, California 91355

1 Teledata Solutions, Inc.
1767 Route 22 West
2 Union, New Jersey 07083

3 Teletrust, Inc.
419 South Walnut
4 Sherman, Texas 75090

5 Tubac Water Company, Inc.
c/o John Crowley
6 1444 Wazee Street, Suite 350
Denver, Colorado 80202

7 United American Technology, Inc.
8 1427 Fretz Drive
Edmond, Oklahoma 73003

Uni-Tel Communications Group, Inc.
PO Box 1000
Naperville, Illinois 60563

William P. Farr dba Salome Water Company
PO Box 550
Salome, Arizona 85348

Willow Lakes Property Owners Assoc., Inc.
PO Box 875
Benson, Arizona 85602

Yak America, Inc.
PO Box 414629
Miami Beach, Florida 33141

10
11 Kay Christine

The following respondents are currently named in the Arizona Corporation Commission's ("Commission") Compliant and Order to Show Cause ("OSC") (Docket No. C-00000A-15-0118). This OSC includes various utility companies that have failed to file their 2013 Annual Report and have been subject to penalties and revocation of their Certificate of Convenience and Necessity in previous Commission Decisions. These decisions are listed below:

W-02015A Beaver Valley Water Company

1999 AR: Not named

2000 AR: Not named

2001 AR: Not named

2002 AR: Not named

2003 AR: Named in OSC; dismissed
without penalty

Decision No. 69642

2004 AR: Not named

2005 AR: Not named

2006 AR: Not named

2007 AR: Not named

2008 AR: Named in OSC; CC&N
rescinded and revoked; \$100 penalty

Decision No. 71245

W-01558A Crown King Water Company1999 AR: Named in OSC; CC&N rescinded and
revoked; \$200 penalty

Decision No. 64395

2000 AR: Named in OSC; dismissed without penalty

Decision No. 64866

2001 AR: Not named

2002 AR: Not named

2003 AR: Not named

2004 AR: Not named

2005 AR: Not named

2006 AR: Named in OSC; \$200 penalty

Decision No. 70705

2007 AR: Named in OSC; \$200 penalty

Decision No. 71245

2008 AR: Named in OSC; \$700 penalty

Decision No. 72239

W-02164A Morristown Water Company

1999 AR: Not named

2000 AR: Not named

2001 AR: Not named

2002 AR: Not named

2003 AR: Not named

2004 AR: Named in OSC; AR filed late;
dismissed without penalty

Decision No. 69642

2005 AR: Named in OSC; CC&N revoked; \$200 penalty

Decision No. 70199

2006 AR: Named in OSC; \$200 penalty

Decision No. 70705

2007 AR: Named in OSC; \$200 penalty

Decision No. 71245

2008 AR: Named in OSC; \$700 penalty

Decision No. 72239

W-01084A William P. Farr dba Salome Water Company

1999 AR: Named in OSC; CC&N rescinded & revoked;
\$200 penalty

Decision No. 64395

2000 AR: Named in OSC; \$1,000 penalty

Decision No. 64866

2001 AR: Named in OSC; \$250 penalty

Decision No. 65649

2002 AR: Named in OSC; dismissed without penalty

Decision No. 69180

2003 AR: Named in OSC; \$200 penalty

Decision No. 69179

2004 AR: Not named

2005 AR: Named in OSC; \$200 penalty

Decision No. 70199

2006 AR: Named in OSC; \$200 penalty

Decision No. 70705

2007 AR: Named in OSC; \$200 penalty

Decision No. 71245

2008 AR: Named in OSC; \$1500 penalty

Decision No. 72239